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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,866	08/20/2003	Arto Suomi	915-007.44	7674

4955 7590 10/17/2007  
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP  
BRADFORD GREEN, BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE, CT 06468

EXAMINER
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NGUYEN, HUY D

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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10/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/645,866

Applicant(s)

SUOMI, ARTO

Examiner

Huy D. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-16 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see the Remarks, filed 9/10/2007, with respect to the rejection(s) of claim(s) 1-2, 4-16 under 35 USC 102 (e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Koponen et al. and Safadi.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 12 is seemingly an apparatus, i.e. system, however, the claimed system is effectively seeking patent protection for the software program product. Software program is neither computer components nor statutory processes. Thus, claim 12 is non-statutory.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, 7-8, 11, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koponen et al. (US 2002/0085511 A1) in view of Safadi (U.S. Patent No. 5,696,765).

Regarding claims 1, 7-8, 11, 14-15, Koponen et al. teaches a method for supporting a data exchange between terminal equipment and a mobile communication network via a mobile terminal, said terminal equipment and said mobile terminal being separate entities, said method comprising: receiving from said terminal equipment a request to establish a connection to said mobile communication network for exchanging data (see paragraphs 0051-0052); forwarding said request to said mobile communication network (see paragraph 0053); and in case a failure occurs concerning said requested connection and an indication of said failure is received from said mobile communication network, forwarding said indication to said terminal equipment (see paragraph 0053). Koponen et al. does not specifically teach an indication of the reason for the failure is received from the mobile communication network. However, the preceding limitation is taught in Safadi (see col. 18, lines 51-63). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Safadi to the teaching of Koponen et al. to let the user know why the connection request fails.

Regarding claim 2, Koponen et al. teaches the method according to claim 1, wherein said failure is a failure resulting in a rejection of said request to said mobile communication network to establish a connection, said indication being an indication of a cause of said rejection (see paragraph 0044).

Regarding claims 4 and 9, Koponen et al. teaches the method according to claim 1, further comprising at said terminal equipment receiving said indication of a cause of a failure from said mobile terminal and presenting a corresponding information to a user of said terminal equipment (see paragraph 0044).

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Regarding claims 5, 10, and 16, Koponen et al. teaches the claimed invention except the step of storing the indication for further use. The examiner takes official notice that saving/storing information in mobile equipment for later use has been well known in the art. Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to store the indication for further use as is well known in the art.

5. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koponen et al. in view of Safadi and in further view of Chou (U.S. Patent No. 5,850,526).

Regarding claim 6, the combination of Koponen et al. and Safadi teaches the claimed invention except the use of the data field of a link control packet. However, the preceding limitation is taught in Chou (see column 7, lines 11-15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Chou to the teaching of Koponen et al. and Safadi to save and to use resources efficiently.

Claim 13 is the combination of claims 1 and 6. Thus, claim 13 is rejected with the same reason set forth in claims 1 and 6.

#### ***Allowable Subject Matter***

6. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Contact Information***

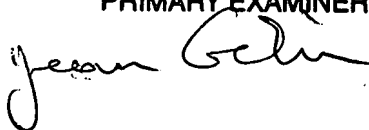
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
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JEAN GELIN  
PRIMARY EXAMINER



  
Huy D Nguyen  
Patent Examiner  
Art Unit 2617